

REMARKS

Claims 1-6 have been examined. The Examiner has withdrawn the previous rejections of the claims, but now rejects claims 1-6 under 35 U.S.C. § 102(b) in view of a newly cited reference.

I. Rejections under 35 U.S.C. § 102(b) in view of U.S. Patent No. 6,325,607 to Atake (“Atake”) (*assigned to Dai Nippon Printing Co., Ltd. and same inventive entity*)

The Examiner has rejected claims 1-6 under 35 U.S.C. § 102(b) as allegedly being anticipated by Atake.

A. Claim 1

Applicant submits that claim 1 is patentable over the Atake reference. For example, claim 1 recites, “a clasper for pressing and fastening said sheet on a flat parting surface of said female mold” and “said clasper is formed in such a shape that, when said pushing frame is in abutment with said flat parting surface of said female mold, there is established a space between said connecting member and said flat parting surface in which said clamping devices can pass through.”

Atake discloses a foil-decorating injection molding apparatus including a male mold 25, a female mold 12, a transport chuck 5/57 including clamping devices 60 and a clasper 20. The Examiner refers to Figure 5 of Atake and maintains that the space formed by recess 21 of the clasper 20 discloses the claimed space (see annotated Fig. 5 on pg. 4 of Office Action).

Applicant traverses the Examiner’s assertion. As an initial matter, Applicant submits that the alleged parting surface of the female mold 12 of Atake is not “flat,” as now recited in claim

1. Furthermore, the claimed space is formed between the connecting member of the clamper and the parting surface of the female mold. On page 3 of the Office Action, the Examiner maintains that the parts around the rectangular frame of the clamper 20 form the claimed connecting member. As shown in Figure 2 of Atake, the clamper 20 has a rectangular frame and includes extensions that extend from the rectangular frame that connect to the driving rods (i.e., means of driving the pushing frame). Also shown in Figure 2 is that the extensions extending from the rectangular frame of the clamper 20 are set off to the side of the guide groove 36 of the female mold 12. Returning to Figure 5 of the reference, the alleged space of Atake, which comprises the recess 21, is provided in a position that opposes the guide groove 36. Thus, the Examiner's alleged space (i.e., recess 21) is not provided in the position as claimed. In other words, the space is not provided in between the extensions extending from the rectangular frame of the clamper 20 and the parting surface of the female mold 12. Rather, the recess 21 appears to follow along the outwardly curved section of the rectangular frame of the clamper 20 in a manner that it opposes the guide groove 36.

Additionally, Applicant notes that in Figure 5 of Atake, a small space is formed between the female mold 12 and the clamper 20 at a position provided to the left of the recess 21. Although unclear, it is possible that at least some of the portion to the left of the recess 21 is provided along the alleged connecting member portion of the clamper 20. Nevertheless, such space does not establish any room for the clamping device 60 to pass therethrough, and therefore fails to disclose the claimed space.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited reference.

B. Claims 2-4

Applicant submits that claims 2-4 are patentable at least by virtue of their dependency.

C. Claims 5 and 6

Since claims 5 and 6 contain features that are analogous to the features discussed above regarding claim 1, Applicant submits that claims 5 and 6 are patentable at least by virtue of their dependency.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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